



AF/3624
617

PATENT
ATTORNEY DOCKET NO. 053520-5017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph H. Holland <i>et al.</i>)	Confirmation No.: 5732
)	
U.S. Application No.: 09/585,057)	Group Art Unit: 3624
)	
Filed: June 1, 2000)	Examiner: N. Subramanian
)	
For: METHOD AND APPARATUS FOR)	
MANAGING DATA IN A BUSINESS)	
TO BUSINESS ENVIRONMENT)	Mail Stop AF

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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DEC 09 2004

GROUP 3600

Sir:

**NOTICE OF APPEAL TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeals to the Board of Appeals from the Final Office Action mailed
October 3, 2003.

The sections checked below are appropriate:

1. ☒ An additional three month extension of time to respond to the Final Office Action dated June 7, 2004 is hereby requested so as to extend the period for response to December 7, 2004.
2. ☐ An extension of time is not believed to be necessary due to a previous two month extension of time filed with an Amendment on _____.
3. ☒ The three month extension of time fee of \$ 490.00 is to be charged to Deposit Account No. 50-0310.
4. ☐ The Appeal fee of \$ _____ is enclosed.

12/08/2004 JBALINAN 00000081 500310 09585057

01 FC:2401 170.00 DA

I-WA/2305336.1

12/08/2004 JBALINAN 00000081 500310 09585057

02 FC:2253 490.00 DA

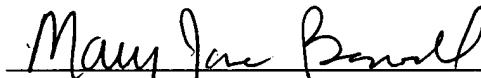
5. [X] The Appeal fee of \$170.00 is to be charged to Deposit Account No. 50-0310.

If there are any other fees required in connection with the filing of this Notice, please charge the appropriate fees to our Deposit Account No. 50-0310. If additional fees for an extension of time under 37 C.F.R. 1.136 are not included above, please charge such fees also to our Deposit Account No. 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Mary Jane Boswell

Reg. No. 33,652

Dated: December 7, 2004

CUSTOMER NO. 009629

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ATTORNEY DOCKET NO. 053520-5017



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph H. Holland *et al.*

U.S. Application No.: 09/585,057

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For: METHOD AND APPARATUS FOR
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Sir:

NOTICE OF APPEAL TRANSMITTAL FORM

1. Transmitted herewith is a Notice of Appeal in response to Final Office Action dated June 7, 2004.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ Notice of Appeal

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input checked="" type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$ 1,530.00	\$ 765.00

Extension of time fee due with this request: **\$490.00**

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	6	minus	41	0	x \$18 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	1	minus	6	0	x \$88 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$
SUB-TOTAL =						\$ -0-
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ -0-

6. Fee Payment


- ☒ Fee of **\$660.00**, representing \$490.00 for Three months Extension of Time fee and \$170.00 for Notice of Appeal fee are being paid concurrently with the Notice of Appeal.
- ☐ The Commissioner is hereby authorized to charge to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: December 7, 2004

By:

Mary Jane Boswell
Reg. No. 33,652**CUSTOMER NO. 09629****MORGAN, LEWIS & BOCKIUS LLP**

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